

25TH ANNUAL EMPLOYERS' CONFERENCE **LABOUR AND EMPLOYMENT LAW**

UPDATE 2011



TUESDAY, NOVEMBER 8, 2011
TORONTO CONGRESS CENTRE

SPECIAL GUEST KEYNOTE SPEAKER:
CRAIG OLIVER OF CTV NEWS

TOPICS INCLUDE:

- Structuring Employee Severance Packages
- Recent Developments in Occupational Health and Safety and Workers' Compensation
- The Latest in Labour Relations
- The Risk of Personal Liability for Managers and H.R. Professionals
- Attendance Management
- Pay Equity
- Overtime Class Actions
- *The Accessibility for Ontarians with Disabilities Act*
- Cross-Border Worker Transfers



HRPA MEMBERS:
Register for the conference and
receive 8.25 points toward
your HRPAO recertification!



8:00 - 9:00 Registration & Breakfast

9:00 - 9:15 Introductory Remarks

9:15 - 9:45 **BEST PRACTICES FOR STRUCTURING EMPLOYEE SEVERANCE PACKAGES**

Allison Taylor

How employers structure severance packages can significantly impact their cost and the risk of litigation. The courts also now expect employers to include greater benefits continuations as part of the package than have customarily been provided in the past.

LEARN:

- Options for payment of severance amounts and legal limitations
- How to incentivize employees to find new employment
- When long-term disability coverage should be provided and how to do it

9:45 - 10:15 **OCCUPATIONAL HEALTH & SAFETY UPDATE**

Ryan Conlin/Landon Young

Health & Safety continues to be an area of rapid legal developments. This session will cover the latest that employers need to know.

LEARN:

- How changes to the Health & Safety prevention and training regime will affect employers
- The status of Criminal charges against employers in Ontario and what to expect in the future

10:15 - 10:30 Break/Networking

10:30 - 11:00 **LABOUR RELATIONS UPDATE**

Jeff Murray

This session will review recent legal developments as they affect unionized employers as well as those employers who may be subject to union organizing campaigns.

LEARN:

- When employers may be at risk of automatic union certification
- The latest major developments in arbitration caselaw
- Trends in collective bargaining and the outlook for the next year

11:00 - 11:30 **THE RISKS OF PERSONAL LIABILITY FOR MANAGERS AND HR PROFESSIONALS AND HOW TO MANAGE THEM**

Joe Morrison

Managers and Human Resources professional can face significant risk of personal liability in the performance of their duties under a variety of employment statutes.

LEARN:

- How personal liability can be imposed on Managers and HR professionals
- Strategies for avoiding the risk of personal liability
- What to do if facing a proceeding brought against you personally

11:30 - 12:00 Q&A

12:00 - 1:30 Lunch



SPECIAL KEYNOTE SPEAKER: Craig Oliver of CTV News

As Chief Parliamentary Correspondent for CTV News, Craig Oliver is one of Canada's most recognized and respected journalists, a newsman who has reported on the major political figures and news stories of our times with passion, insight, and bracing candour.

Craig will discuss what we can expect in the year ahead with the government, the global economy, and the economic concerns over Europe and the USA and the implications for Canada. A Q&A with Craig will follow.

1:30 - 2:00 **HOW WSIB POLICY CHANGES TO EXPERIENCE RATING AND RETURN TO WORK WILL AFFECT EMPLOYERS**

Ryan Conlin/Ian Bergeron

Yet another round of changes to the WSIB's experience rating system is in the offing and employers can expect to pay more in premiums. The WSIB has also made significant changes to the process for returning employers to work from leaves that break new legal ground.

LEARN:

- What the new changes are and how much they are likely to cost employers
- Tips for reducing the cost of the experience rating changes
- How the new return to work process will affect how you return workers from WSIB leaves

2:00 - 2:30 **ATTENDANCE MANAGEMENT: WHAT THE COURTS ARE SAYING**

Jeremy Schwartz & Kelly McDermott

Employee absenteeism has never been a more costly problem for employers. The combination of our aging workforce and heightened duties and economic pressures make this issue one of the biggest challenges for employers.

LEARN:

- How recent developments in human rights caselaw regarding accommodation of disability are affecting absenteeism policies
- What your duties are to employees absent due to personal family circumstances
- Strategies for achieving reductions in absenteeism

2:30 - 2:45 Break

2:45 - 3:45 **LEGAL ROUNDUP**

Allison Taylor
Landon Young
Kelly McDermott
Jessica Young

In a new format for this year's conference, this session provides short and concise "need to know" highlights of recent key legal developments of interest for employers in *Pay Equity Act*, employee class actions, the *Accessibility for Ontarians with Disabilities Act* and Cross-Border Employee Transfers.

LEARN:

- *Pay Equity Act*: What is happening with the *Pay Equity Act* and what your organization may need to do to comply
- Overtime Class Actions: How the courts have been handling these claims and what you can do to avoid them
- *Accessibility for Ontarians with Disabilities Act*: When these new duties are coming into effect and what will be required
- Cross Border Employee Transfers: How recent changes may make it more difficult to bring in the skilled employees you need to compete

3:45 - 4:30 Q&A

4:30 Conference Adjourns

SPEAKERS



JEFFREY D.A. MURRAY

Jeffrey advises and represents employers in all areas of labour relations and employment law. He has extensive experience working with employers in healthcare, manufacturing and construction. Jeff has published articles in *Lawyers Weekly*, *Canadian HR Reporter*, *Canadian Cases on Employment Law* and many other leading journals.



RYAN J. CONLIN

Ryan practises in all areas of labour and employment law with a particular focus on workers' compensation and occupational health and safety matters. His workers' compensation practice includes litigation before the WSIB and WSIAT, claims management, independent operator issues and revenue matters. He is the author of the *"Employer's Guide to Workplace Safety and Insurance"* and co-author of several CLV Reports on *OH&S Due Diligence and Corporate Liability for OH&S Under Bill C-45*. Ryan is also an Adjunct Professor at University of Western Ontario teaching Workplace Health, Safety and Workers' Compensation Law.



LANDON P. YOUNG

Landon advises employers in all areas of labour and employment law. He has particularly extensive experience in achieving positive and cost-effective results for employers facing wrongful dismissal lawsuits. A member of the firm's OH&S Practice Group, he is co-author of the new CLV Special Report *OH&S Due Diligence: A Practical Guide – 2nd Edition*.



ALLISON L. TAYLOR

In her role as counsel to Stringer Brisbin Humphrey, Allison represents employers before the courts and tribunals on issues arising out of employment and the termination of employment. Her practice includes wrongful dismissal and human rights litigation, drafting of employment and consulting contracts, and providing advice on pay equity, benefits and similar issues. She is the co-author of *The Corporate Counsel Guide to Employment Law* and co-author of *A Guide to Alternative Work Relationships*.



JEREMY D. SCHWARTZ

Jeremy practises in the areas of labour relations, employment and health and safety law. His experience includes advising and representing employers in arbitration, negotiations, and matters before the Ontario Labour Relations Board, the Human Rights Tribunal of Ontario and in the courts. Jeremy proactively counsels employers to help ensure legal compliance and avoid litigation, and provides strategic and targeted representation when litigation is unavoidable.



KELLY M. McDERMOTT

Kelly McDermott is an associate with Stringer Brisbin Humphrey and joined the firm in 2010 after practicing labour and employment law with a national full service law firm. Kelly is experienced with counselling and assisting employers on a variety of labour and employment matters including human rights, employment standards, terminations of employment, employment contracts, human resources policies, labour arbitrations, union certifications, collective bargaining, labour board proceedings, workers' compensation, occupational health and safety, privacy and cross-border labour and employment matters.



IAN A. BERGERON

Ian Bergeron's paralegal practice focuses on WSIB Claims Management and Occupational Health and Safety compliance matters. Prior to joining Stringer Brisbin Humphrey, Mr. Bergeron was employed for more than 20 years as the Director of Workers' Compensation and Safety for one of Canada's largest multi-trade contractors. Mr. Bergeron is focused on assisting clients in developing a proactive and effective claims management system.



JESSICA N. YOUNG

Jessica was called to the Ontario bar in 2010. She joined Stringer Brisbin Humphrey after articling with a major national firm. She advises and represents clients in all areas of employment and labour law including human rights matters, wrongful dismissals, labour arbitrations, employment standards compliance and privacy issues.



JOE K. MORRISON

Joe Morrison is a Partner of Stringer Brisbin Humphrey, having recently joined us from Goodman, a full service firm. He was called to the Ontario bar in 1998 and the Newfoundland bar in 1996. Joe's practice covers all aspects of human resources management and executives, providing advice in certification applications, collective bargaining negotiations, arbitrations, plant closures, successor employer obligations, corporate policies and procedures, human rights, wrongful dismissals and severance arrangements.

PAYMENT OPTIONS

ONLINE: www.sbhlawyers.com/events.php

PHONE: (416) 862-1616 **TOLL FREE:** 1(866) 821-7306 **FAX:** (416) 363-7358

MAIL: Stringer Brisbin Humphrey, 110 Yonge St, Suite 1100, Toronto ON M5C 1T4

ATTENDEE INFORMATION

1. NAME: _____ TITLE: _____
EMAIL: _____
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EMAIL: _____
3. NAME: _____ TITLE: _____
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COMPANY INFORMATION

COMPANY NAME: _____

ADDRESS: _____

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CONFERENCE PRICE PAYMENT

\$495.00 PER PERSON (\$438.05 + 13% HST) (HST # 121726442RT0001)

(Includes Full Day Conference, Lunch, Refreshments, Materials).

METHOD OF PAYMENT

CHEQUE: PAYABLE TO STRINGER BRISBIN HUMPHREY (HST # 121726442RT0001)

CREDIT CARD: VISA MASTERCARD

CARD NUMBER: _____ EXP. DATE: _____

NAME OF CARDHOLDER: _____

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CONFERENCE LOCATION

Toronto Congress Centre

650 Dixon Road, Toronto, Ontario M9W 1J1

PHONE (416) 245-5000

DIRECTIONS

From Hwy 401 – exit Dixon Rd W, turn into The Toronto Congress Centre

From Hwy 427 north – exit at Dixon Rd E, follow until left turn into The Toronto Congress Centre

From Hwy 427 south – exit Hwy 409 E, follow until to Martin Grove Rd, travel south on Martin Grove Rd, turn right on Dixon Rd, turn right into The Toronto Congress Centre

From Hwy 407 – exit Hwy 27 S, follow until Dixon Rd E, turn left into The Toronto Congress Centre

From the Gardiner Expressway – exit Hwy 427 N, follow to Dixon Rd E, turn left into The Toronto Congress Centre

